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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant: Donald E. Weder**

**Atty. Dkt. No. 8403.979**

**Serial No.: Not Yet Assigned**

**Art Unit: 3726**

**Filed: Herewith**

**Examiner: D. Bryant**

**For: METHOD OF COVERING A FLOWER  
POT AND FLORAL GROUPING (As  
Corrected)**

**Mail Stop PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT**

The following sections are being submitted for this Information Disclosure Statement:

1.  Preliminary Statements
2.  FORM PTO-1449 (Modified)
3.  Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))
4.  Identification of Prior Application In Which Listed Information Was Already Cited and for Which No Copies Are Submitted Or Need to Be Submitted
5.  Copies of Listed Information Items Accompanying this Statement
6.  Identification of Person(s) Making this Information Disclosure Statement

## **Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2. Form PTO-1449 (Modified)**

A completed Form 1449 (Modified) is attached hereto.

No Form 1449 (Modified) is attached.

## **Section 3. Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))**

Plant sleeves are old in the art. Plant sleeves typically are constructed of polymer film or paper. Plant sleeves generally are tapered (trapezoidally shaped) with an open top and an open bottom, although some have a closed bottom. A plant in a pot is placed in the plant sleeve so that the sleeve covers the pot and the plant. In some instances, an upper portion of the plant sleeve is removable along a line of perforations leaving at least a portion of the sleeve around the pot. In some instances, a separate sheet of material is placed about the pot and the remaining bottom portion of the plant sleeve holds this separate sheet of material in place. Alternatively, a floral grouping alone may be placed within the sleeve. It is also known to put potted plants in grocery bags.

It is also old in the art to form a sheet of material about a flower pot and then place an elastic band around the sheet of material to hold the sheet in place about the flower pot. In some instances, the band has been positioned about the outer surface of the pot with the sheet of material positioned between the band and the flower pot. In some instances, the band has been positioned

above the upper end of the pot thereby causing a portion of the sheet of material to be forced inwardly over the upper end of the pot.

It is also old in the art to form a sheet of material into a conically shaped tube like member referred to commonly in the art as a sleeve. A floral grouping or flower pot with flowers therein can be disposed through the larger open end of the sleeve, wherein the sleeve covers the floral grouping or the flower pot and extends above and around the flowers in the floral grouping or flower pot.

It is also old in the art that cut flowers have been wrapped with the following materials or combinations of materials:

1. Kraft paper plus waxed or unwaxed tissue paper with the flowers being placed next to the waxed paper or tissue paper.
2. Kraft paper plus newspaper plus waxed or unwaxed tissue with the flowers being placed next to the waxed or unwaxed tissue. These three materials have been used to wrap flowers in various combinations such as Kraft paper plus newspaper or Kraft paper plus waxed or unwaxed tissue paper or newspaper plus waxed or unwaxed tissue paper.
3. Waxed or unwaxed tissue paper, polymer films and Kraft paper (treated for water resistance or wet strength or untreated).
4. Polymer film and waxed tissue paper.

#### **Section 4. Identification of Prior Application In Which Listed Information Was Already Cited and for Which No Copies Are Submitted Or Need Be Submitted**

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application serial no. 10/261,852, filed on September 30, 2002.

#### **Section 5. Copies of Listed Information Items Accompanying this Statement**

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this supplemental information disclosure statement.

[ ] Exception(s) to above:

Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4. Only copies of the following patents are enclosed:

**Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT**

The person making this statement is the attorney who signs below on the basis of the information:

supplied by the inventor(s)

supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).

in the attorney's file

Respectfully submitted,



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FORM PTO-1449								Attorney's Docket Number <b>8403.979</b>	Serial Number <b>Not Yet Assigned</b>
(FIII-A-Form 7.92) <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)								Applicant <b>Donald E. Weder</b>	
								Filing Date <b>Herewith</b>	Group <b>3726</b>

### U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	1	4	4	6	5	6	3	02/27/1923	Hughes			
	AB	1	6	1	0	6	5	2	12/14/1926	Bouchard			
	AC	1	8	6	8	8	5	3	07/26/1932	Sievers			
	AD	1	9	8	0	8	8	6	01/22/1935	Wilson	47	37	
	AE	2	1	5	2	6	4	8	04/04/1939	Jones	47	34	
	AF	2	2	0	9	7	7	8	07/30/1940	Krasowski	41	10	
	AG	2	3	0	2	2	5	9	11/17/1942	Rothfuss	41	10	
	AH	2	6	2	1	1	4	2	12/09/1952	Wetherell	154	117	
	AI	2	6	4	8	4	8	7	08/11/1953	Linda	229	55	
	AJ	2	7	7	4	1	8	7	12/18/1956	Smithers	47	41	
	AK	2	8	5	0	8	4	2	09/09/1958	Eubank	47	58	
	AL	3	0	2	2	6	0	5	02/27/1962	Reynolds	47	58	
	AM	3	0	5	2	0	6	3	09/04/1962	Dunn	47	38	
	AN	3	0	9	4	8	1	0	06/25/1963	Kalpin	47	37	
	AO	3	1	3	4	6	7	9	05/26/1964	Dreyfus	53	397	
	AP	3	2	7	1	9	2	2	09/13/1966	Wallerstein et al.	53	399	
	AQ	3	3	1	6	6	7	5	05/02/1967	Cartwright	47	37	
	AR	3	4	3	1	7	0	6	03/11/1969	Stuck	53	390	
	AS	3	4	8	8	0	2	2	01/06/1970	Vittori	248	152	
	AT	3	5	5	7	5	1	6	01/26/1971	Brandt	53	14	
	ATA	3	6	1	6	1	9	7	10/26/1971	Amberg et al.	161	229	
	AU	3	9	6	2	5	0	3	06/08/1976	Crawford	53	397X	
	AV	4	3	3	3	2	6	7	06/08/1982	Witte	47	84	

## U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AW	4	3	8	4	6	0	4	05/24/1983	DeLaura et al.	150	52	
	AX	4	4	1	3	7	2	5	11/08/1983	Bruno et al.	47	72X	
	AY	4	6	2	1	7	3	3	11/11/1986	Harris	206	423	
	AZ	4	6	4	0	0	7	9	02/03/1987	Stuck	53	390	
	BA	4	7	3	3	5	2	1	03/29/1988	Weder et al.	53	580	
	BB	4	7	7	3	1	8	2	09/27/1988	Weder et al.	47	72	
	BC	4	7	9	9	5	2	0	01/24/1989	Blackburn et al.	150	52	
	BD	4	8	0	1	0	1	4	01/31/1989	Meadows	206	423	
	BE	4	9	4	1	5	7	2	07/17/1990	Harris	206	423	
	BF	4	9	8	0	2	0	9	12/25/1990	Hill	428	34.1	
	BG	5	0	0	5	7	6	0	04/09/1991	van den Hoogen	229	125.38	
	BH	5	1	0	5	5	9	9	04/21/1992	Weder	53	399	
	BI	5	1	1	1	6	3	8	05/12/1992	Weder	53	397	
	BJ	5	1	5	2	1	0	0	10/06/1992	Weder et al.	47	72	
	BK	5	1	8	1	3	6	4	01/26/1993	Weder	53	397	
	BL	5	1	9	9	2	4	2	04/06/1993	Weder et al.	53	397	
	BM	5	2	0	5	1	0	8	04/27/1993	Weder et al.	53	397	
	BN	5	2	2	8	2	3	4	07/20/1993	de Klerk et al.	47	41.01	
	BO	5	2	3	9	7	7	5	08/31/1993	Landau	47	72	
	BP	5	2	5	9	1	0	6	11/09/1993	Weder et al.	29	469.5	
	BQ	5	3	5	3	5	7	5	10/11/1994	Stepanek	53	461	
	BR	5	3	8	8	6	9	5	02/14/1995	Gilbert	206	423	
	BS	5	5	4	2	1	6	9	08/06/1996	Weder			
	BT	5	6	2	5	9	3	6	05/06/1997	Weder			
	BU	5	6	2	5	9	3	7	05/06/1997	Weder			
	BV	5	6	3	2	0	7	7	05/27/1997	Weder			

## U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BW	5	8	1	5	9	0	5	10/06/1998	Weder	29	469.6	
	BX	5	9	7	4	6	5	1	11/02/1999	Weder			
	BY	5	3	6	1	4	8	2	11/08/1994	Weder et al.			
	BZ	5	8	1	6	0	2	2	10/06/1998	Weder et al.			
	CA	5	9	5	0	3	5	7	09/14/1999	Weder et al.			
	CB	6	1	8	2	3	4	8	02/06/2001	Weder et al.			
	CC	2	1	5	9	3	0	2	06/1938	Rab et al.			
	CD	3	2	9	3	1	0	0	08/1963	Questal			

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation		
													YES	NO	
	DA	0	0	5	0	9	9	0	05/05/1982	EPO				X	
	DB	0	7	9	1	5	4	3	08/27/1997	EPO				X	
	DC	1	3	7	6	0	4	7	09/14/1964	France				X	
	DD	2	0	3	6	1	6	3	12/24/1970	France				X	
	DE	2	1	3	7	3	2	5	12/29/1972	France				X	
	DF	2	2	7	2	9	1	4	12/26/1975	France				X	
	DG	2	4	8	9	1	2	6	03/05/1982	France				X	
	DH	2	5	6	7	0	6	8	07/05/1984	France				X	
	DI	2	6	0	3	1	5	9	03/04/1989	France				X	
	DJ	2	6	1	0	6	0	4	08/12/1988	France*(see FN below)				X	
	DK	2	6	1	9	6	9	8	03/1989	France				X	
	DL		1	5	5	5	0		06/02/1900	Germany				X	
	DM	3	4	5	4	6	4		12/12/1921	Germany				X	
	DN	5	1	3	9	7	1		11/27/1930	Germany				X	
	DO	1	1	6	6	6	9	2	03/26/1964	Germany				X	

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation		
													YES	NO	
	DP	1	9	6	2	9	4	7	06/24/1971	Germany				X	
	DQ	2	0	6	0	8	1	2	11/04/1971	Germany				X	
	DR	2	7	4	8	6	2	6	05/03/1979	Germany				X	
	DS	3	4	4	5	7	9	9	06/19/1986	Germany				X	
	DT	3	8	2	9	2	8	1	05/18/1989	Germany					X
	DU	8	9	0	5	2	5	0	10/05/1989	Germany					X
	DV	3	9	1	1	8	4	7	10/25/1990	Germany				X	
	EA		2	2	4	5	0	7	04/30/1996	Italy				X	
	EB		5	4	2	9	5	8	02/23/1993	Japan				X	
	EC	6	1	2	7	5	5	5	05/10/1994	Japan				X	
	ED	8	-	1	9	3	3	4	01/23/1996	Japan				X	
	EE	1	0	0	0	6	5	8	01/05/1996	Netherlands				X	
	EF	8	3	0	1	7	0	9	12/1984	Netherlands				X	
	EG	9	3	1	5	9	7	9	08/19/1993	PCT				X	
	EH	9	7	1	2	8	1	9	04/10/1997	PCT				X	
	EI		5	6	0	5	3	2	04/15/1975	Switzerland				X	
	EJ				5	6	0	5	05/06/1885	United Kingdom					
	EK	1	2	0	4	6	4	7	09/09/1970	United Kingdom					
	EL	2	0	5	6	4	1	0	03/18/1981	United Kingdom					
	EM	2	8	7	4	5	4	2	11/04/1981	United Kingdom					
	EN	2	1	2	8	0	8	3	04/26/1984	United Kingdom					
	EO	2	2	0	3	1	2	7	10/12/1988	United Kingdom				X	
	EP	2	2	1	2	1	3	6	07/19/1989	United Kingdom				X	
	EQ	2	2	5	2	7	0	8	08/19/1992	United Kingdom					

## NON PATENT DOCUMENTS

(Including, Author, Title, Date, Relevant Pages, Place of Publication.\*\*)

EXAM INIT.	FA	Color Them Happy With Highlander® Products, ©1922, 2 Pages.
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EXAM INIT.		NON PATENT DOCUMENTS (Including, Author, Title, Date, Relevant Pages, Place of Publication.**)
	FB	Super Seller, Supermarket Floral, September 15, 1992.
	FC	Costa Keeps the Christmas Spirit, Supermarket Floral, September 15, 1992.
	FD	Now, More Than Ever, Supermarket Floral, September 15, 1992.
	EF	Halloween, Link Magazine, September 1992, 2 pages.
	EG	Speed Cover® Brochure - The Simple Solution..., ©1989.
	EH	Speed Sheets and Speed Rolls Brochure, ©1990.
EXAMINER		DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant. **Place of Publication refers to name of publication in which the information was published.		